

**BOARD OF HEALTH  
Minutes**

January 15, 2009

Present: Sandy Sulsky, David Kaufman, Ellen Leahy-Pile, Nancy Gilbert, David Ahlfeld  
Staff: Epi Bodhi, Ellen Bokina, Pamela Field-Sadler  
Other: Select Board Liaison Diana Stein, Chris Bauthin–PHAI/Northeastern, Cheryl  
Sbarra-MAHB, Joan Hamlett-Tobacco Control Alliance, Larry  
McLaughlin-Tobacco Control Alliance

**Meeting opened at 7:05 p.m.**

**I. Review & Receive**

**A. Meeting Minutes**

1. Open Session minutes: December 18, 2008  
Accepted as submitted
2. Executive Session minutes: December 18, 2008  
Accepted as submitted

**II. New Business**

**A. DEP – Outdoor Wood Boiler Regulations**

The BOH members reviewed the MassDEP regulation governing Outdoor Hydronic Heaters (Outside Wood Boilers.) The regulation took effect on December 26, 2008 and outlines specific requirements for manufacturers, siting and installation of new units, operating requirements and enforcement authority. The suggestion was made to develop an inventory of Outside Wood Boilers in Amherst. Ms. Leahy-Pile will contact the Amherst Inspections Department to research issued plumbing and building permits. Ms. Bodhi will contact the Agricultural Commission to discuss outside wood boiler use by local farmers and the need for education regarding the new regulation; Ms. Bodhi also suggested a joint meeting with the Agricultural Commission. The suggestion was made to remove the moratorium previously set by the Board of Health concerning outside wood boilers.

**Motion:** Ms. Gilbert moved, seconded by Ms. Sulsky, to rescind the moratorium on Outside Wood Boilers due to the development of MassDEP regulation 310 CMR 7.26(50) which took effect December 26, 2008.

**Vote:** Unanimous

### **III. Old Business**

#### **A. Tobacco Regulations**

**Present:** Director Joan Hamlett and Larry McLaughlin of the Leominster Tobacco Control Alliance, Cheryl Sbarra-MAHB and Chris Bauthin-PHAI/Northeastern in attendance.

The BOH reviewed and discussed draft documents of proposed changes to the current Tobacco Control Regulations. Ms. Hamlett recommended the current regulations be divided into three separate documents: Youth Access Regulations; Environmental Tobacco Control Regulations; Landlord Disclosure Regulations. Separating the documents would ease regulation understanding for inspectors and the public, as well as provide straight forward guidance in enforcement. During the discussion the following was noted:

- The BOH members will further review the draft Regulations and bring comments to the next BOH meeting
- For the next BOH meeting, Joan Hamlett will prepare:
  - 1) draft press release regarding the Landlord Disclosure effort
  - 2) new draft of Landlord Disclosure Regulations
  - 3) summary list of pros/cons developed during the meeting regarding the draft regulations reviewed

After the tobacco discussion, Ms. Sbarra explained she had learned Governor Deval Patrick signed the Regionalization Bill this evening. The Bill includes language allowing Boards of Health to retain their authority. Money has not, as of yet, been appropriated for funding regionalization efforts.

### **IV. Schedule Next BOH Meeting/Agenda Closing Date**

**A.** The next BOH meeting will be February 19, 2009.

**Meeting Adjourned: 9:08 p.m.**

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Epi Bodhi, Health Director  
**Approved: 2-19-09**

